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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/936,460

01/08/2002

Hartwig Schwier

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4135

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SCHIFF HARDIN, LLP
PATENT DEPARTMENT
6600 SEARS TOWER
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EXAMINER

MILIA, MARK R

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

05/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/936,460

Applicant(s)

SCHWIER ET AL.

Examiner

Mark R. Milia

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 46-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 46-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/12/07 has been entered. Currently, claims 46-48 are pending.

Response to Arguments

2. Applicant's arguments with respect to claim 46 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,078,403 to Palmer in view of Snyders (US 5,982,996).

Regarding claim 46, Palmer discloses a method for printing a document, comprising the steps of, generating a master document on a computer system in a Windows or windows-like operating environment (see Figs. 2-7, column 3 lines 14-21 and 43-56, and column 4 lines 48-59), logically linking an auxiliary document with the master document using reference indices (see Figs. 2 and 6 and column 3 line 56-column 4 line 44), outputting a document file including at least one of the master document and the auxiliary document for printing from an application running in a Windows or windows-like environment (see Fig. 2 and column 4 lines 1-44), receiving a user input at a user interface (see Figs. 2 and 6 and column 4 lines 57-67), using the user input to control referencing of the auxiliary document information and the master document, said auxiliary document information being transmitted separately from data of said master document (see Figs. 2-7, column 3 line 43-column 5 line 35, column 5 line 50-column 6 line 58, and column 7 lines 3-8 and 22-40), converting the document file into a printer format and joining of the master document with the auxiliary document (see Fig. 2 and column 4 lines 1-44), and outputting the document file in printer format to an output device (see Fig. 2 and column 4 lines 25-38).

Palmer does not disclose expressly calling a print driver for the document file, said driver outputting the document file in EMF format, said driver being operable to always output documents in EMF format, transmitting the document file in EMF format to a spool file, spooling the EMF format document file to a print processor, and transmitting the document file from the print processor to a converter for conversion of the document file from EMF format to a raw printer format.

Snyders discloses outputting a document file for printing from an application running in a Windows or windows-like environment (see Fig. 1, column 3 lines 38-62, column 4 lines 8-13, and column 6 lines 22-25), calling a print driver for the document file, said driver outputting the document file in EMF format, said driver being operable to always output documents in EMF format (see column 8 lines 9-35), transmitting the document file in EMF format to a spool file (see column 6 line 60-column 7 line 15 and column 9 lines 1-4), spooling the EMF format document file to a print processor (see column 7 lines 3-15, column 8 lines 14-35, and column 9 lines 5-6), transmitting the document file from the print processor to a converter for conversion of the document file from EMF format to a raw printer format (see column 9 lines 15-53), receiving a user input at a user interface (see column 8 lines 9-14 and 40-42), and outputting the document file in raw printer format to an output device (see column 3 lines 38-49, column 9 lines 50-53, and column 11 lines 32-37).

Palmer & Snyders are combinable because they are from the same field of endeavor, formatting document data for subsequent output.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the transmission, spooling, and conversion of an EMF document file, as described by Snyders, and which is well known and commonly used in the art in a Windows or windows-like operating environment, with the system of Palmer.

The suggestion/motivation for doing so would have been to provide easier identification of variable data areas within a document (see column 2 lines 6-17 of Palmer) and increase printing speed and efficiency by allowing a computer system to

process variable data and static data separately and merge the data as needed regardless of the type of printer and the format of the data in which the printer is capable of handling.

Therefore, it would have been obvious to combine Snyders with Palmer to obtain the invention as specified in claim 46.

Regarding claim 47, Snyders further discloses wherein said raw printer format is PCL format (see column 8 lines 3-6 and column 10 lines 20-21).

Regarding claim 48, Snyders further discloses wherein said output device includes a port monitor and a printer device connected to the port monitor (see Fig. 5 and column 9 lines 18-20).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.


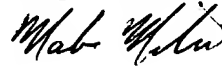
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRM

Mark R. Milia
Examiner
Art Unit 2625



TWYLER LAMB
SUPERVISORY PATENT EXAMINER